THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 8th day of August,2007

W.P.No.11699 of 2005

Between:-

N. Madhusudhan … Petitioner

and

The Superintendent of Police,
Mahabubnagar District
and another … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.11699 of 2005

ORAL ORDER:

The only grievance of the petitioner is that he was illegally detained by the Station House Officer, Dharur Police Station of Mahabubnagar District on 14-5-2005, without any complaint causing mental agony and torture.

According to the petitioner, he had some property disputes with one of the maternal uncles of his wife. To resolve this dispute, under the guise of counselling, on 14-5-2005 he was called to Police Station, Dharur at about 12.00 noon. He was kept in the police station upto 7.00 p.m. and was beaten by the Station House Officer-M.Venkat Reddy. Thereafter, he was allowed to go out with wounds. Straight away, he went to his village, which is 12 kilometres from Dharur and from there, he went to Government Hospital, Kurnool. Accordingly, on 15-5-2005, he gave a complaint to the respondents. He was admitted under Medico-Legal Case and discharged on 17-5-2005. He was issued with a discharge certificate also. The said complaint was not acted upon.

A detailed counter affidavit has been filed on behalf of the respondents by the Sub-Inspector of Police, Dharur Police Station, denying the allegations made by the petitioner. However, it is admitted by him that a representation was received by him by Registered Post on 20-5-2005. The same was also sent to the 1st respondent, who

directed the Sub-Divisional Police Officer, Gadwal, Mahabubnagar District to enquire into the case and submit a report. Further, an entry in the General Diary in respect of the above complaint was made on 20-5-2005. After conducting a detailed enquiry into the representation of the petitioner, as directed by the 1st respondent, the Sub-Divisional Police Officer, Gadwal, submitted his report vide letter No.1/Pet-50/SDG/05, dated 5-6-2005, in which the Enquiry Officer stated that the petitioner had made false allegations against the Sub-Inspector stating that he had harassed the petitioner physically and mentally on 14.5.2005 at Police Station, Dharur to escape from the case. Respondent No.1 informed the result of the representation to the petitioner vide Memo No.C.85/C1/DCRB/05, dated 13-6-2005 by Registered Post with Acknowledgment Due. Further, Crime No.20/2005, which was registered on the file of P.S., Dharur on a complaint made by the wife of the petitioner, was transferred for investigation to the Circle Inspector of Police, Gadwal in view of the allegations made by the petitioner against the Sub-Inspector.

In view of the averments, as above, in the counter filed by the Sub-Inspector of Police, Dharur Police Station, nothing remains for further adjudication, in the Writ Petition. However, if the petitioner feels that he was tortured mentally and physically on 14-5-2005 in the Police Station, Dharur, he is at liberty to work out his remedies as available under the law.

Accordingly, the Writ Petition is closed. No costs.

08-8-2007

DA/PRK